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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,956	06/15/2001	Robert Petersen	34646-00462USPT	9149
38065	7590	12/30/2003	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVW 2-C-2 PLANO, TX 75024			NGUYEN, JOSEPH D	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/882,956	PETERSEN, ROBERT
Examiner	Art Unit	
Joseph D Nguyen	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 15 June 2001.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-12 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 09 January 2002 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6)  Other: \_\_\_\_\_ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Honkasalo et al. (6,636,497).

Regarding claim 1, Honkasalo et al. discloses a mobile communications system (abstract, fig. 1A-B), comprising: a radio network controller (RNC fig. 1A-1B, col. 3 line 46 thru col. 4 line 52); and a Node B (B) coupled to said radio network controller (B fig. 1A, col. 3 lines 46-65), said Node B operable to control a plurality of its Node B internal resources for admission control (fig. 1A-B, col. 3 lines 46 thru col. 4 line 52).

Regarding claim 2, Honkasalo et al. further discloses the mobile communications system of claim 1, wherein said radio network controller is operable to inform said Node B about a priority of a connection to be established in association with said admission control (fig. 1A-1B, col. 3 line 6 thru col. 4 line 52, and col. 8 line 64 thru col. 9 line 4), and wherein said Node B controls said Node B internal resources in accordance with

said priority (fig. 1A-1B and 8, col. 3 line 6 thru col. 4 line 52, and col. 8 line 64 thru col. 9 line 4).

Regarding claim 3, Honkasalo et al. further discloses the mobile communications system of claim 1, wherein said radio network controller is operable to inform said Node B about at least one capacity reservation to be applied for a cell configuration (fig. 1A-1B, 8, col. 7 line 34 thru col. 8 line 26) and wherein said Node B controls said Node B internal resources in accordance with said at least one capacity reservation (fig. 1A-1B, 8, col. 7 line 34 thru col. 8 line 26).

Regarding claim 4, Honkasalo et al. further discloses the mobile communications system of claim 1, wherein said system comprises a Universal Mobile Telephony System (fig. 1A-B).

Regarding claim 5, Honkasalo et al. further discloses the mobile communications system of claim 1, wherein said Node B includes means for controlling said plurality of said Node B internal resources for admission control (fig. 1A-B, col. 3 line 46 thru col. 4 line 47).

Regarding claim 6, Honkasalo et al. further discloses the mobile communications system of claim 2, wherein said radio network controller includes means for informing said Node B about said priority of a connection to be established in association with said admission control (fig. 1A-1B, col. 3 line 6 thru col. 4 line 52, and col. 8 line 64 thru col. 9 line 4).

Regarding claim 7, Honkasalo et al. further discloses the mobile communications system of claim 3, wherein said radio network controller includes means for informing said Node B about said at least one capacity reservation to be applied for a cell configuration (fig. 1A-1B, fig. 8, col. 7 line 34 thru col. 8 line 26).

Regarding claim 8, Honkasalo et al. further discloses the mobile communications system of claim 1, wherein said radio network controller comprises a controlling radio network controller (fig. 1A-B, col. 3 line 46 thru col. 4 line 47).

Regarding claim 9, Honkasalo et al. discloses A 3rd generation mobile communications system (fig. 1A, col. 1 lines 27-50), comprising:

a) a controlling radio network controller (RNC fig. 1A); and  
b) a Node B coupled to the controlling radio network controller and operable to control a plurality of its Node B internal resources for admission control in accordance with parameters given in a message from said controlling radio network controller to said Node B (fig. 1A-B, col. 3 line 46 thru col. 4 line 52).

Regarding claim 10, Honkasalo et al. further discloses the 3rd generation mobile communications system according to claim 9, wherein said parameters include parameters relating to priority of a connection to be established in association with said admission control (col. 7 lines 8-24).

Regarding claim 11, Honkasalo et al. further discloses the 3rd generation mobile communications system according to claim 9, wherein said parameters include

parameters relating to a capacity reservation to be applied for a cell configuration (col. 4 lines 40-47, and col. 7 line 8 thru col. 9 line 7).

Regarding claim 12, Honkasalo et al. further discloses the 3rd generation mobile communications system according to claim 9, wherein said system comprises a Universal Mobile Telephony System (fig. 1A-B, col. 3 lines 46-58).

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

Or:

(703) 305-9509 (for informal or draft communications, please label  
"PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA. Sixth floor (Receptionist).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers

for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph Nguyen



Dec. 23, 2003

~~WILLIAM TROST~~  
~~SUPERVISORY PATENT EXAMINER~~  
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